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9 Attorneys for Plaintiff  
REALNETWORKS, INC.

10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 REALNETWORKS, INC.

Case No. C-08-0023 MHP

15 Plaintiff and Counterdefendant,

16 vs.

**STIPULATION TO EXTEND TIME TO  
RESPOND TO COUNTERCLAIM AND  
PROPOSED ORDER**

17 BURST.COM, INC.

18 Defendant and Counterclaimant.  
19

20 Plaintiff RealNetworks, Inc. ("Plaintiff") and defendant Burst.com, Inc. ("Defendant"), hereby  
21 stipulate through their respective counsel of record as follows:

22 WHEREAS, on or about January 7, 2008, Plaintiff served its Complaint for Declaratory  
23 Judgment and Demand for Jury Trial ("Complaint") upon Defendant; and

24 WHEREAS, on or about March 25, 2008, Defendant served its Answer to First Amended  
25 Complaint and Counterclaim ("Counterclaim") upon Plaintiff; and

26 WHEREAS, the answer or other response to the Counterclaim is presently due on or before  
27 April 17, 2008; and

28 WHEREAS, no trial date has yet been set in this action; and

1 WHEREAS, Plaintiff and Defendant, through their respective counsel of record, have agreed to  
2 extend the time by which Plaintiff must answer or otherwise respond to the Counterclaim, to and  
3 including May 1, 2008:

4 IT IS HEREBY STIPULATED by and between the parties hereto through their respective  
5 attorneys of record that Plaintiff will have to and including May 1, 2008 to serve and file an answer or  
6 other response to the Counterclaim.

7 IT IS HEREBY FURTHER STIPULATED by and between the parties hereto through their  
8 respective attorneys of record that by entering into this stipulation, neither party waives any rights with  
9 respect to issues presented in this litigation, and specifically, Plaintiff does not waive any rights or  
10 defenses with respect to the Counterclaim.

11 Dated: April 10, 2008

Respectfully submitted,

12 HOWREY LLP

13  
14 By: /s/Robert F. Kramer

15 Robert F. Kramer

16 Attorney for Plaintiff and Counterdefendant  
17 REALNETWORKS, INC.

18 Dated: April 10, 2008

HOSIE McARTHUR LLP

19  
20 By: /s/George F. Bishop

George F. Bishop

21 Attorney for Defendant and Counterclaimant  
22 BURST.COM, INC.

23 I hereby attest pursuant to General Order 45.X.B. that concurrence in the electric filing of this  
24 document has been obtained from other signatories.

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By: /s/Robert F. Kramer

Robert F. Kramer

**ORDER**

Pursuant to the stipulation of the parties, it is hereby ORDERED that the time in which Plaintiff may serve and file an answer or other response to the Counterclaim is extended to and including May 1, 2008.

**SO ORDERED:**

Dated: April \_\_, 2008

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Honorable Marilyn Hall Patel  
United States District Judge